

Certificate of Facsimile
Date of Deposit: June 20, 2003

Attorney Docket No. 21402-124 (CURA-424)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gerlach et al.

SERIAL NO.: 09/964,956

EXAMINER: James Martinell

FILING DATE: September 26, 2001

ART UNIT: 1631

FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO REQUIREMENT FOR RESTRICTION

In response to the April 18, 2003, Restriction Requirement, and the telephonic interview of the Examiner on June 20, 2003, Applicants elect Group II Claims 5-14, 19-21, 39, 42, 46, and 47, drawn to nucleic acids, vectors, host cells, nucleic acid hybridization methods, pharmaceutical compositions, and kits, classified in class 536, subclass 23.5 and class 435, subclasses 320.1, 252.3, 325, and 6. Applicants also elect the nucleic acid sequence encoding amino acid sequence SEQ ID NO:13, without traverse.

Previously, Applicants had elected the nucleic acid sequence encoding amino acid sequence SEQ ID NO:25. After speaking to the Examiner, Applicants have decided to elect SEQ ID NO:13 in place of SEQ ID NO:25, without traverse.

The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.21402-124 (CURA-424).

Respectfully submitted,

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Dated: June 20, 2003

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PRELIMINARY AMENDMENT

In a supplemental response to the Restriction Requirement mailed April 18, 2003,
Applicants submit a preliminary amendment so that the claims correspond with elected group II
and elected species nucleic acid encoding the amino acid sequence of SEQ ID NO:13.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

#15/E
Plunkett
7/1/03